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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Brenda Whittaker,

10 Plaintiff,

11 v.

12 Paul Moss Insurance Agency LLC,

13 Defendant.
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No. CV-22-08077-PCT-SMB

ORDER

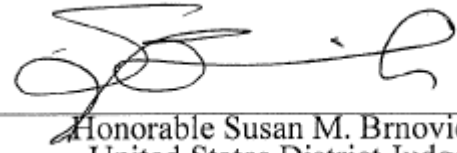
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16 This matter having recently come before this Court,

17 **IT IS ORDERED** that motions to dismiss pursuant to Fed. R. Civ. P. 12(b) and
18 motions to strike pursuant to Fed. R. Civ. P. 12(f) are discouraged if the defect that would
19 be the subject of the motion can be cured by filing an amended pleading. Therefore, the
20 parties must meet and confer prior to the filing of a motion to dismiss or motion to strike
21 to determine whether it can be avoided. Consequently, motions to dismiss and motions to
22 strike must be accompanied by a notice of certification of conferral, indicating that the
23 parties have conferred to determine whether an amendment could cure a deficient
24 pleading, and have been unable to agree that the pleading is curable by a permissible
25 amendment. In addition, parties shall endeavor not to oppose motions to amend that are
26 filed prior to the Rule 16 Scheduling Conference or within the time set for the Rule 16
27 Case Management Order. Motions to dismiss and motions to strike that do not contain
28 the required certification are subject to striking on the Court's own motion.

1 **IT IS FURTHER ORDERED** that Plaintiff shall serve a copy of this order on
2 Defendants.

3 Dated this 3rd day of May, 2022.

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Honorable Susan M. Brnovich
United States District Judge